



JUDICIAL COUNCIL OF
CALIFORNIA
ADMINISTRATIVE OFFICE
OF THE COURTS
Public Information Office
455 Golden Gate Avenue
San Francisco, CA 94102-3688
www.courtinfo.ca.gov

415-865-7740

Lynn Holton
Public Information Officer

NEWS RELEASE

Release Number: 51

Release Date: September 27, 2008

Critical Funding Needed for Courthouses, Chief Justice George Tells State Bar

Top Jurist Delivers 'State of the Judiciary' Address at State Bar Meeting in Monterey

Monterey—In his 13th annual “State of the Judiciary” Address before the State Bar Conference of Delegates, California Chief Justice Ronald M. George Saturday declared that the state judicial branch has made great progress in improving access to justice, but there are still critical public needs that must be met.

Those urgent needs include creating new judgeships to speed the resolution of cases and funding to build and renovate California courthouses, many of which are dilapidated and pose safety risks for the public.

“California’s judicial branch cannot wait for the economy to return to health before considering how best to serve the public,” the Chief Justice told the lawyers. “There simply are too many challenges to meet—with or without much-needed additional resources—that must be dealt with now.”

The Chief Justice noted that like the rest of state government, the judicial branch “will do its part and carry out its responsibilities with less funding.” That means a reduction of \$256 million in the judicial branch’s fiscal year 2008–2009 budget. Most of that amount will be one-time reductions.

Courthouses Pose Serious Risks to Public

“The needs of California courthouse users—and their physical safety—have been placed at serious risk by decades of neglect while these facilities remained the responsibility of the respective counties” even after

the switch to state funding of the courts, the Chief Justice told the Conference of Delegates. The state began to assume fiscal responsibility for courthouses in 2002 under the Trial Court Facilities Act.

The Chief Justice reported that the Legislature passed Senate Bill 1407 and the Governor yesterday signed landmark legislation authored by Senate President pro Tem Don Perata that would provide \$5 billion in revenue bonds to build and renovate California courthouses. The bill was sponsored by the judicial branch.

The measure will finance about 40 out of 68 courthouse projects that are classified as having “immediate and critical needs.” The measure will not impact the state’s general fund and will be financed by court users through increases in filing fees, fines and assessments, traffic and parking fines, and a new fee on out-of-state attorneys who wish to practice in California courts.

Trial Courts Need New Judgeships

Chief Justice George also underscored the continuing need for new judgeships in state trial courts in response to increases in population and caseloads throughout California.

“Seeking new positions in a time of fiscal downturn may seem like tilting at the windmills—but delays in processing cases, both criminal and civil, strike at the very heart of society,” the Chief Justice declared. “No one seriously disputes the need for new positions. Families deserve speedy and fair determinations. Businesses need to have relevant issues settled in a timely fashion. The public and defendants alike require the effective adjudication of criminal matters.”

The state’s top jurist reported that as of today, 50 new judgeships for state trial courts have been created and funded since the judicial branch first sought 150 new positions three years ago. Fifty more judgeships were created this past year, but the funding was deferred until July 1, 2009.

“We remain hopeful that in the coming legislative session, we shall see the creation of the final 50 positions with funding soon to follow,” he stated.

Historic Legislation on Court Interpreters

Assembly Bill 3050, authored by Dave Jones, chair of the Assembly Judiciary Committee, also awaits the Governor’s signature, the Chief Justice noted. This bill protects and assists the public’s use of the legal system.

The bill would impose fees for telephone appearances in civil cases, part of which would fund a new pilot program authorizing court interpreters in civil cases. Telephone appearances will still cost less to the client than a personal appearance by a lawyer. Interpreter services would be provided in certain family law cases, unlawful detainer, probate guardian and conservator proceedings, and actions under the Elder Abuse and Dependent Adult Civil Protection Act.

“This historic measure recognizes and reinforces the fundamental adage that meaningful access to justice requires the ability to understand the proceedings,” Chief Justice George commented. “...AB 3050 marks a major first step forward in meeting a substantial need that will make the judicial system truly available to those needing its services.”

Advances Made in Court Administration

Turning to other efforts to improve the courts, Chief Justice George reported that the Judicial Council has made progress in creating an integrated case management system for the trial courts. Pilot projects already have been implemented and are functioning well, he said.

“An integrated system will permit electronic filing statewide and allow attorneys to have access to up-to-the-minute information on pending cases,” the Chief Justice said. “It will enable the timely updating of state criminal history files—40 percent of which do not have current information.”

Other new projects include the following:

- The Commission on Impartial Courts continues its work to develop practical recommendations to preserve and enhance the independence of the judicial branch. Appointed by Chief Justice George last September, the task force will present its final report to the Judicial Council next year.
- The Elkins Task Force, appointed by the Chief Justice this year, is reviewing barriers posed by local court rules and practices to self-represented litigants and to attorneys providing representation in family law cases.
- The California Commission on the Fair Administration of Justice has supported the Supreme Court’s proposal giving it discretion to transfer fully briefed death penalty cases to the Courts of Appeal, so long as the various entities and agencies involved in the death penalty process are adequately funded before this new approach is pursued. “This is a proviso the court is very willing to embrace,” the Chief Justice stated. “Changing the system without providing sufficient resources to allow all the affected entities to do their job would be pointless.”

To view the full text of the Chief Justice's State of the Judiciary Address, please see the California Courts Web site at this link:

[*http://www.courtinfo.ca.gov/reference/1_2speeches.htm*](http://www.courtinfo.ca.gov/reference/1_2speeches.htm).

-#-